

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

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|---------------------------------------|---|--------------------------------|
| THE SUPERIOR BEVERAGE CO., |) | CASE NO. 4:05 CV 834 |
| INC. |) | |
| |) | |
| Plaintiff |) | JUDGE PETER C. ECONOMUS |
| |) | |
| v. |) | |
| |) | |
| |) | |
| SCHIEFFELIN & CO. |) | MEMORANDUM OPINION |
| <i>fka</i> Schieffelin & Somerset Co. |) | AND ORDER |
| |) | |
| Defendant |) | |

| | | |
|------------------------------|---|--------------------------------|
| GOODMAN BEVERAGE CO., |) | CASE NO. 4:05 CV 868 |
| INC., <i>et al.</i> |) | |
| |) | |
| Plaintiffs |) | JUDGE PETER C. ECONOMUS |
| |) | |
| v. |) | |
| |) | |
| |) | |
| SCHIEFFELIN & CO. |) | MEMORANDUM OPINION |
| |) | AND ORDER |
| |) | |
| Defendant |) | |

This matter is before the Court upon the prior order requesting that the parties address

the potential applicability of the abstention doctrine established in Louisiana Power & Light v. Thibodaux, 360 U.S. 25 (1959). See (Case No. 4:05 CV 834, Dkt. # 25; Case No. 4:05 CV 868, Dkt. # 24). The Court hereby orders that all filings to be submitted in advance of the preliminary injunction hearing scheduled for June 3, 2005 shall be **STAYED** pending the Court's ruling on the abstention issue.

IT IS SO ORDERED.

/s/ Peter C. Economus - May 25, 2005

PETER C. ECONOMUS

UNITED STATES DISTRICT JUDGE